



# VILLAGE OF COLD SPRING

85 MAIN STREET, COLD SPRING, NY 10516

TEL: (845) 265-3611 FAX: (845) 265-1002

WEB: WWW.COLDSRINGNY.GOV

**KATHLEEN E. FOLEY, MAYOR**  
**TWEETS PHILLIPS WOODS, DEPUTY MAYOR**  
**LAURA BOZZI, TRUSTEE**  
**CATHRYN FADDE, TRUSTEE**  
**ELIZA STARBUCK, TRUSTEE**

**JEFF VIDAKOVICH, CLERK/TREASURER**  
**MICHELLE ASCOLILLO, ACCOUNTANT**  
**LARRY BURKE, OFFICER-IN-CHARGE**  
**MATTHEW KROOG, WATER SUPERINTENDENT**  
**ROBERT DOWNEY, HIGHWAY DEPT CREW CHIEF**

**Board of Trustees - Monthly Meeting**  
**Village Hall, 85 Main Street**  
**Wednesday, July 13, 2022 @ 7:00 PM**

*The Board of Trustees values input from the Village community. When you speak, please state your name and address for the record. Please keep your comments to three minutes or less, and remember that we are all neighbors.*

1. Roll call
2. Opportunity to Request Vote to Add/Modify Agenda Items
3. Announcements
4. Reports from Village Departments
  - a. Accountant
  - b. Roadways & Facilities
  - c. Water & Wastewater
  - d. Code Enforcement
  - e. Police Department
  - f. Fire Company
  - g. Justice Court
    - i. Request for Justice Court Audit
5. Reports from the Standing Boards & Committees
  - a. Historic District Review Board
  - b. Planning Board
  - c. Zoning Board of Appeals
  - d. Tree Advisory Board
  - e. Recreation Commission
    - i. Approval of applications for upcoming events
    - ii. Parking Policy for Non-Ticketed Events
6. Updates/News from Municipal and Government Partners
  - a. Town of Philipstown

b. County Legislator

7. Report of the Mayor and Board of Trustees

8. New Business

- a. Resolution 21-2022 Authorizing Mayor to Sign Agreement with Philipstown for Fire Protection Services
- b. Request for 5K Run on Community Day
- c. Resolution 22-2022 to Benchmark Energy Usage in Village-Owned Buildings
- d. Authorize Mayor to Sign Letter of Support for Clean Heating & Cooling
- e. Discussion on Host Site Agreement with Philipstown for EV Charging Station
- f. Authorize Mayor to Sign Letter of Support for Hudson Highlands Fjord Trail Consolidated Grant
- g. Request to Waive Late Fee for Village Taxes

9. Old business

- a. Resolution 20-2022 Adopting Flag Display Policy

10. Public Comment

11. Adjournment

Members of the public are invited to attend the meeting in-person at Village Hall (85 Main Street) or via Videoconference pursuant to Executive Order 11.6 of 2022. To join the Zoom Meeting:

<https://us06web.zoom.us/j/88983853791?pwd=NG1RWU5VVG9RVTRZaStQaW9kMXBMZz09>

Or by phone: 646-558-8656

Meeting ID: 889 8385 3791      Passcode: 365616



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ROBERT DOWNEY, HIGHWAY DEPARTMENT CREW CHIEF  
CHARLOTTE MOUNTAIN, CODE ENFORCEMENT OFFICER

## Village of Cold Spring Highway Department June Monthly Report

7.5.2022

For the month of June, we had two flooding issues, we reset mafia blocks & started leveling the ground behind the stone bins at the garage, we consolidated all of the old granite curbs for future repurposing, we repaired the NE catch basin on Whitehill, we dug out culverts on Kemble Ave. & Cedar St., we painted 95% of the yellow "X's" / crosswalks & stop bars below 9D, we mounted the "Essential Workers" plaque onto a stone & set in the tree pit at 9D & Main St., we removed all of the old recycling bins from Main St. & distributed the new ones ( 5 old ones were refurbished & redistributed), I attended the Highway Conference in Ithaca NY, we hauled 17 yards of concrete to West Hook Sand & Gravel, we removed & repoured 19' of sidewalk at 20 Parsonage, started patching the underpass, and started the set up of shared services for Northern Ave.

We assisted other departments by cutting the grass at the water/wastewater facilities, assisting with the water leak on Kemble Ave., assisted with the freeing of a 6" shut off cap on Fishkill Rd., freeing a curb box cap on Stone St., repaired & painted the picnic tables at MPP, and cut the grass at the construction site at Dockside for the Film Festival Society.

For the fleet we replaced a broken hydraulic line on the backhoe, removed / replaced the door molding & a tire on the Bobcat, brought the 2001 International dump truck to Riverview Industries for an assessment of the body for future repair, have Hatfield Brothers working on assessing the Wastewater Department's sewer jetter for value condition, and took delivery of our new 2022 Kenworth dump truck.

Robert Downey  
Roadways & Facilities Crew Chief



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## Water & Wastewater Department Monthly Operations Report

June 2022

### Water:

<b>2021 Reservoir Status:</b>	92.89% Capacity	<b>Reservoir Status:</b>	95.35% Capacity
<b>2021 Flow to System:</b>	8.33MG / 278k/day	<b>Flow to System:</b>	7.79MG / 260k/day
<b>Monthly Rainfall:</b>	2.28"	<b>Percent Change:</b>	6.49% Decrease

- **Bacterial/Lab Tests:** All routine sampling were found in good standing.
- **Chemical Pump Uniformity Upgrade:** Full Pump Order has been received by regional supplier, to be delivered and assisted installation on Thursday 7/14
- **Leak on Kemble Ave.:** Repaired by Pizzella Bros. on Monday 6/20
- **Badger Endpoint Upgrade:** Hahn Eng. / RFP moving forward, Sunset Date of CDMA 12/2022
- **Issues:**
  - **Valve Repair / Replacement at Kemble and Rock:** Gathering Quotes
  - **Storage Tank(s) Inspection / Small Leak Repair:** Gathering quotes
  - **Sedimentation Basin #1 Floating Skimmer Re-Attachment:** to be reinstalled time permitted.
- **No Updates:** On Filter Refurbishment Projects at this time.

### Wastewater:

<b>Total Inflow to Plant:</b>	6.26 MG / 209k/day	<b>Liquid Sludge Hauled Offsite:</b>	23,000 Gallons
<b>Biochemical Oxygen Demand:</b>	97.97% Removal	<b>Total Suspended Solids:</b>	96.41% Removal

- **Facility Issues:**
  - **JWC Grinder and Auger.** Alon Industries completed the repairs on the Auger and Grinder by 6/26, both units back in operations.
  - **Enclosing the Generator / Blower Bldg.** – Gathering Quotes
- **“E-2” Infiltration and Intrusion Inspections:** No Updates at this time.



# Village of Cold Spring Police Department

## Monthly Report:

### Incident/Events

<u>Type of calls</u>	<u>Number of calls</u>	<u>Type of calls</u>	<u>Number of calls</u>
911 Hang up	1	Abandoned vehicle	1
Aggravated harassment		Aided case	13
All other		Animal bite	
Animal acting rabid		Assist fire department	1
Animal complaint other		Attempt to locate person	1
Animal struck by motor vehicle		Buglary attempt	
Assist citizen	5	Car blocking	
Assault		Civil matter	4
Burglary		Criminal mischief	4
Burglary in progress		Disabled vehicles	
Child abuse		DMV suspensions/revocations	
Criminal impersonation		Domestic dispute	
Custodial interference		Drug complaint	
Disorderly conduct/Disturbance	1	Drug sale	
Dog complaint		Extortion	
Driving while intoxicated		Family offense	
Drug possession		Fire Alarm	3
False Alarm (any type)	6	Gun shots	
Family court summons		Harassment	1
Fireworks		Health & Safety hazard	1
Fraud	1	Illegally parked vehicle	
Funeral escort	1	Insufficient funds-Checks	
Hazardous material/spill leak		Lockout - vehicle	1
Hit & Run		Mental health incident	1
Impounded vehicles		Missing person	
Larceny	2	Navigation accident	
Leaving scene of accident		Neighborhood Dispute	
Lockout - residence		Notification death or emergency	
Loitering		Officer needs assistance	7
Lost or Stolen license plates	2	Other	
Missing child		Person with a gun	
Natural disaster		Possession of weapon	
Navigation complaint		PDAA	
Noise complaint		PIAA	
Obscenity/pornography		Property lost	
Open door		Property stolen	
Other accident		Reckless driving	
Personal injury		Unwanted Party	
Private property		Robbery-in progress	
Property found	1	Shoplifting	
Property recovered		Speeding vehicle	
Public property		Suspicious person	1
Robbery		Theft of services	
Repossession of vehicle		Trespass	
Robbery - other		Unauthorized use of a vehicle	
Simple assault		V&T complaint	3
Suicide attempt			
Suspicious vehicle	1		
Transports			
Unattended death	1		
Welfare Check	4	<b>Total number of calls for service:</b>	69
Wires down	1	<b>Total Number Year to Date</b>	338



**Village of Cold Spring Police**

**Monthly report continued:**

<b>Sex</b>	<b>Charge(s)</b>	<b>Arrests</b>	<b>Counts</b>
F	ROW	1	1
M	CPW	1	1
m	Menacing	1	1
<b>Total number of arrests:</b>		<b>3</b>	
<b><u>Traffic/Parking tickets issued</u></b>			
<b><u>UTTs</u></b>			
AUO			Clinging to a vehicle
Crosswalk violation			Disobey traffic control device
Driver's view obstructed			Equipment violation
Following too close			Glass tint violation
Imprudent speed			Insurance violation
Lane violation			Leave scene of accident
Muffler violation			No passing
One-way violation	2		Operating w/suspended reg.
Passed red light			Passing violation
Plate/registration violation			RT of way violation
Seatbelt			Signal light violation
Speed in school zone			Speeding
Stop sign violation			Turn signal violation
Traf device violation			Unauthorized use license
Turning violation			Unlicensed class driver
Uninspected motor vehicle			Unsafe start
Unlicensed driver	1		Violation of misc rules
Use of cell phone	1		
<b>Total number of tickets issued:</b>		<b>10</b>	
<b><u>PARKING TICKETS</u></b>			
<b>Parking Tickets Issued by Police Dpartment:</b>			<b>73</b>
Total Number of Tickets Issues			83
Total Number Year to Date			287



## Cold Spring Fire Company No.1

154 Main Street  
Cold Spring, NY 10516

[www.coldspringfd.org](http://www.coldspringfd.org)

EMERGENCIES  
911

ALL OTHER  
845-265-9241

FAX  
845-265-1093

### Chiefs Report July

23 Calls for June

- 4 Activated Fire Alarm
- 5 EMS Assist
- 1 Motor Vehicle Accident
- 1 Possible Structure Fire
- 1 Structure Fire (Deck Fire)
- 1 Lawn Mower fire
- 2 Elevator rescue
- 1 Possible Vehicle Fire
- 1 Marine Incident on the Hudson
- 1 Mutual Aid to North Highlands for a MVA
- 2 Mutual Aid to North Highlands for a AFA
- 1 Mutual Aid to North Highlands for a Tree on wires on fire
- 1 Mutual Aid to North Highlands for a Structure Fire
- 1 Mutual Aid to Garrison for an AFA

We just recently took delivery of our new Engine. We are currently in the process of training our drivers and placing the last pieces of equipment on it. Hope to have it in service very soon.

Also 13-M-1 is in service docked at the Cold Spring Boat Club ready to handle calls for service.

**JUSTICE COURT  
VILLAGE OF COLD SPRING**  
85 Main Street  
Cold Spring, NY 10516

Thomas J. Costello  
Village Justice

Phone (845) 265-9070  
Fax (845) 809-4210


**JUNE 2022 MONTHLY REPORT**

Fines, Forfeited Bails & Civil Penalties	\$ 3,500.00
Parking Tickets	1,155.00
Civil Fees	
Including Termination of Suspension Fees, Bail Poundage, Certificate of Disposition, Filing Fees, Small Claims, Transcripts of Judgment and Returned Check Fees	210.00
Mandatory State Surcharges	<u>1,101.00</u>
TOTAL	<u>\$ 5,966.00</u>

A check in the above amount is submitted herewith.

Respectfully,

Dated: July 7, 2022

  
\_\_\_\_\_  
Thomas J. Costello  
Village Justice



**Cold Spring Village Court  
Summary Report of Cases Started**

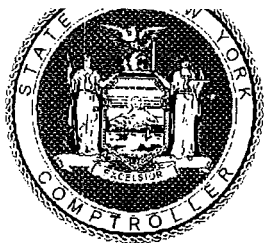
06/01/2022 to 06/30/2022

**Judge Thomas J. Costello**

All Judges

Report date: 07/06/2022

<u>STATUTE</u>	<u>COUNT</u>	<u>ADDITIONAL INFORMATION</u>	
PL	3	Number of DWIs - 1192:	0
VTL	15	Number of AUOs - 511:	0
		Number of Speeds - 1180:	3
		Number of Defendants:	15
		Total Number Charges:	18
		Average Charges/Defendant:	1.20
		Number of Small Claims:	0



OFFICE OF THE STATE COMPTROLLER  
 Thomas P. DiNapoli, Comptroller

JUSTICE COURT FUND  
 110 STATE STREET  
 ALBANY, NY 12236

Thomas Costello - Justice  
 Village of Cold Spring  
 85 Main St  
 Cold Spring, NY 10516

June 23, 2022

For your information, shown below is the "Distribution Summary" of all reports received by us from the Village Court for the month of May 2022.

**Receipts**

<u>Justice</u>	<u>Report Month/Seq</u>	<u>Amount</u>
Thomas Costello	May 2022/01	\$3,633.40
Camille S Linson	May 2022/01	\$0.00
Total Court Receipts		\$3,633.40

**DISTRIBUTION SUMMARY<sup>1</sup>**

<u>Code</u>	<u>Trans</u>	<u>State</u>	<u>County</u>	<u>Village</u>	<u>Other</u>	<u>Amount</u>
AA	7	0.00	0.00	425.00	0.00	425.00
AB	9	0.00	0.00	1,025.00	0.00	1,025.00
AD	1	0.00	0.00	1,275.00	0.00	1,275.00
AJ	1	0.00	0.00	15.00	0.00	15.00
BT	1	0.00	0.00	1.60	0.00	1.60
BU		0.00	0.80	0.00	0.00	0.80
CB		420.00	0.00	0.00	0.00	420.00
FF		70.00	0.00	0.00	0.00	70.00
FL		70.00	0.00	0.00	0.00	70.00
FS		35.00	0.00	0.00	0.00	35.00
MS		296.00	0.00	0.00	0.00	296.00
<b>TOTALS :</b>		891.00	0.80	2,741.60	0.00	3,633.40

<sup>1</sup> For an explanation of distribution codes, see the Comptroller's Handbook for Town and Village Justices

JUSTICE COURT  
VILLAGE OF COLD SPRING  
85 Main Street  
Cold Spring, New York 10516

Honorable Thomas J. Costello  
Cathy L. Costello, Court Clerk

Phone: 845-265-9070  
Fax: 845-265-1002

June 24, 2022

Kathleen Foley, Mayor  
Tweeps Phillips Woods, Trustee  
Cathryn Fadde, Trustee  
Eliza Starbuck, Trustee  
Laura Bozzi, Trustee

Re: Fiscal Year: June 1, 2021 - May 31, 2022  
Justice Court Audit

Dear Mayor Foley and Trustees:

Pursuant to Uniform Justice Court Act Section 2019-a, it is the duty of every justice to present his records and docket, at least once a year, to the auditing board of the village or town, which shall examine said records or docket, or cause same to be examined, and enter in the minutes of its proceedings the fact that they have been duly examined.

Consistent with Section 2019-a of the Uniform Justice Court Act, I hereby advise that the court's records and docket are available to be presented for such examination. I look forward to working with you to schedule such examination in an expeditious manner.

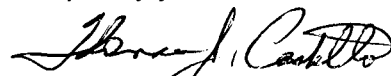
It is my understanding that OCS's Internal Audit Services (IAS) unit will be corresponding with you as well in the very near future in this regard. Subsequent to the audit or examination, please forward to the IAS unit the audit report, as well as the Board's resolution noting that the records have been duly examined, and that the fines therein collected have been turned over to the proper officials of the Village as required by law. Such materials may be mailed to the following:

Fiscal Year Audit  
Page Two

Internal Audit Services Unit  
Attn: Joan Casazza  
2500 Pond View, Suite LL01  
Castleton-on-Hudson, NY 12033

In the alternative, such materials may be sent via email to: [jcasazza@nycourts.gov](mailto:jcasazza@nycourts.gov).

Very truly yours,



Thomas J. Costello  
Village Justice

/clc

cc: Hon. William J. Giacomo  
Supreme Court Justice  
Westchester County Supreme Court  
111 Dr. Martin Luther King Jr. Blvd  
White Plains, NY 10601

Arielle Bryant, Esq.  
Special Counsel to the District Administrative Judge  
for Town and Village Courts  
Administrative Judge's Office  
111 Dr. Martin Luther King Jr. Blvd.  
White Plains, NY 10601

# **Village of Cold Spring Historic District Review Board**

85 Main Street Cold Spring, New York 10516 (845) 265-3611

## **MONTHLY REPORT TO THE VILLAGE BOARD OF TRUSTEES JULY 2022**

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### **CURRENT APPLICATIONS**

On June 1st, we met to approve minutes and discuss the design standards. We received no new applications for review.

On June 8th, we met again to finalize our edits for the design standards.

We did not hold a workshop meeting in June.

On July 6th, we reviewed and approved a change in roofing materials at 14 Garden Street, the home of Trustee Bozzi. We also reviewed and approved a frontyard fence at 9 Locust Ridge.

Our July workshop meeting is scheduled for July 20th.

Respectfully submitted,

Sean Conway

**Albert G. Zgolinski, Chair; Sean Conway, Vice Chair  
Andrea Connor Hudson, Lloyd L. DesBrisay, Todd Seekircher**

**Zoning Board of Appeals  
Cold Spring, N.Y.  
Monthly Report: June 2022**

July 8, 2022

To: Mayor and Board of Trustees

From: Eric Wirth, Chair

The ZBA received no applications last month. The board held one meeting, on June 2, to approve minutes and review a draft resolution about an earlier decision.

Eric Wirth

## TREE ADVISORY BOARD

### Village of Cold Spring

Members: Tony Bardes; Charles Day; Kory Riesterer; Taro Ietaka.; Jennifer Zwarich

#### REPORT TO THE VILLAGE BOARD OF TRUSTEES

07/8/2022

The TAB held its monthly meeting on June 21, 2022.

Some updates:

1. **NEW TREE GUARD DEDICATION PLAQUE INSTALLED:** We are happy to report Mr. Downey and the Highway department installed the dedication plaque on our "Essential and Frontline Workers" memorial tree on the NW corner of Main St and Morris Ave.
2. **CALLERY PEAR GRAFTING PILOT PROJECT:** The experimental pilot project previously reported to the board is proceeding well, with all grafts successful thus far. A nice write up about the project appeared in the Highlands Current's June 24, 2022 issue.

See:

<https://highlandscurrent.org/2022/06/24/cold-springs-novel-tree-experiment/?fbclid=IwAR2qS-MfWCrUzDbOgBHdmgyS5u8TbeL8bqxraIWWEDIK8jYIGk9Ard5wSPc>

3. **GRANT OPPORTUNITY:** We will be applying for a NYS Urban Forestry Council Tree City USA Reward Grant this month which offers to pay for the planting and associated costs of large shade tree planting in a public area.
4. **FALL PLANTING PLANS:** The TAB has begun preliminary planning for fall tree planting at several sites around the village. As a reminder to the VBOT, these include the previously planned and approved replacement trees to be planted at the Wall repair site on upper Main St. once the contractor has completed work. We will be coordinating with the Highway Department as per the usual procedure.

Respectfully,  
Jennifer Zwarich  
Chairperson

# Village of Cold Spring

## Recreation Commission Report - July 2022

### **New Applications:**

- Pavilion - Theresa Crawley BBQ 9/10/2022
- Pavilion - Roseanne Halpin BBQ 7/30/2022

### **Upcoming Approved Events:**

- HOPS on the Hudson – July 16<sup>th</sup>, 2022 (Village Board approved 2/23/22)
- Putnam County Wine and Food Festival – August 6<sup>th</sup> & 7<sup>th</sup> (Village Board approved 3/9/22)
- Wedding – October 8, 2022 (Village Board approved 5/11/22)

### **Bandstand:**

- None

### **Mayor's Park & Pavilion:**

- Proposed improvements to the baseball field by Haldane Director of Facilities, Tim Walsh, to discuss Mayor's Park. Haldane baseball has raised money for proposed improvements to the field, which was approved by the Recreation Commission and pending Trustees final approval.
- Continued vandalism at the Pavilion. Repairs were made to the picnic table and the door to the utility room was painted to cover graffiti. A motion sensor light was installed at the Pavilion to deter vandalism and assist patrolling officers.
- Existing signage at Mayor's Park is being evaluated to consolidate and clarify access and restrictions. The Commission's recommendations have been presented to the Trustee's.
- The Commission will meet with the Cold Spring Police to discuss parking issues during events at Mayor's Park & Pavilion to ensure reserved parking is available.
- The Commission is researching potential grants available for improvements to parks.

### **McConville Park:**

- The 9/11 Memorial sign was installed. Fundraising by the Boy Scouts paid for the sign in full.
- The girl scouts did some planting at the base of the 9/11 Memorial sign and weeding at the Patriot Garden in preparation for additional plantings.
- The Commission installed a plaque in front of the tree by the Patriot Garden commemorating it as the first holiday tree at the Bandstand.

### **Other Recreation Commission Items:**

- Beginning to draft a comprehensive plan for the Recreation Commission.
- Working with the Event Coordinator to establish checklists and guidelines.
- The recreation survey was sent via email and through the Village Facebook page. Results have been analyzed and will be used to schedule activities/leagues. The Commission is working to prepare an insurance liability waiver.
- The 2022-23 Recreation Commission draft budget was prepared and needs to be reviewed.
- Zoysia grass at the south side of Mayor's Park.



# APPLICATION FOR NON-TICKETED USE OF MAYOR'S PARK FIELDS, MAYOR'S PARK PAVILION, MCCONVILLE PARK, OR BANDSTAND

Applicant: Roseanne Halpin

Sponsoring Organization: \_\_\_\_\_

Address: 50 Fair Street, Unit D6, Cold Spring, NY 10516 Email: michahalp@aol.com

Phone: \_\_\_\_\_ Cell: 914-482-5034 - preferred contact

Please check if applicable:

Cold Spring Village Resident  Philipstown Resident  501(c)(3) Org.\*

*\*If 501(c)(3) organization, attach proof (EIN, certificate of incorporation, parent organization verification, or IRS tax exemption certificate)*

Site(s) Requested: Mayor's Park Pavilion

(Mayor's Park Fields, Mayor's Park Pavilion, McConville Park, Bandstand)

Date(s) of Event: July 30, 2022 Saturday, August 6- Start Time: 12:00pm End Time: 8:00pm  
2:00 9:00pm

All locations open at 8AM and close at 9PM. The facilities are carry-in and carry-out.

All clean up must be completed by the end of each event day (9PM).

Additional Date(s) and Time(s) for Set-Up and Break-Down:

set up before 12 Noon 1:30 PM - 8:30 PM

Estimated Attendance: 30

(Mayor's Park Fields with Pavilion - maximum 1,500 occupants)

Will there be Amplified Sound? \_\_\_\_\_ Yes  No

Will there be a tent or canopy? \_\_\_\_\_ Yes No  
 Size: \_\_\_\_\_ (Square Feet) Location: tbd

PAID  
MAY 23 2022  
Village of Cold Spring

*350.00  
Addl 2 hours  
✓ 2903 amb*

RECEIVED  
MAY 04 2022  
Village of Cold Spring

PAID  
MAY 05 2022  
Village of Cold Spring

*✓ 2900 100.00  
Page 3 AB*

*Needs water/Electric*

The undersigned is over 21 years of age and has read this form and all included information and agrees to comply with them. Individual or Organization Representative does hereby agree to be responsible to the Village of Cold Spring for the care and use of the facilities. I, on behalf of \_\_\_\_\_, do/does hereby agree to indemnify and hold harmless the Village of Cold Spring from any and all claims, suits, or demands and any expenses incurred by said Village for investigation, legal fees, or otherwise, which arise out of or are connected with the Village facility applied for herein and said Village shall be held harmless and indemnified regardless of whether the acts are the fault of the Applicant or the Village.

I, Roseanne Halpin, and/or the organization I represent, \_\_\_\_\_, agree to pay for any and all damages to equipment or property of the Village of Cold Spring by said organizations, members, guests, or visitors.

Signature (Individual or Organization Representative)  
Roseanne Halpin

Date May 4, 2022

\*\*\*\*\*THE FOLLOWING TO BE COMPLETED BY THE VILLAGE OF COLD SPRING\*\*\*\*\*

Approval by Recreation Commission: Date 5/18/22 By [Signature]  
Notes:

Approval by Village Board: Date \_\_\_\_\_ By \_\_\_\_\_

Village Board to check appropriate Notations for Recreation Commission distribution:

- \_\_\_\_\_ Village of Cold Spring Police
- \_\_\_\_\_ Village of Cold Spring Highway Department
- \_\_\_\_\_ Village of Cold Spring Fire Department
- \_\_\_\_\_ Philipstown Ambulance Corps

# APPLICATION FOR NON-TICKETED USE OF MAYOR'S PARK FIELDS, MAYOR'S PARK PAVILION, MCCONVILLE PARK, OR BANDSTAND

Applicant: Theresa Crawley

Sponsoring Organization: BBQ

Address: 38 Fair Street #B7, Cold Spring Email: tarmc610@AOL.COM

Phone: 845-265-2749 Cell: 914-299-3446

Please check if applicable:

Cold Spring Village Resident  Philipstown Resident  501(c)(3) Org.\*  
*\*If 501(c)(3) organization, attach proof (EIN, certificate of incorporation, parent organization verification, or IRS tax exemption certificate)*

Site(s) Requested: Mayor's Park Pavilion  
(Mayor's Park Fields, Mayor's Park Pavilion, McConville Park, Bandstand)

Date(s) of Event: SEPTEMBER 10, 2022 Start Time: 3:00pm End Time: 7:00pm

All locations open at 8AM and close at 9PM. The facilities are carry-in and carry-out.

All clean up must be completed by the end of each event day (9PM).

Additional Date(s) and Time(s) for Set-Up and Break-Down:

2:30pm 7:30pm

Estimated Attendance: 30  
(Mayor's Park Fields with Pavilion - maximum 1,500 occupants)

Will there be Amplified Sound?  Yes  No

Will there be a tent or canopy?  Yes  No

Size: \_\_\_\_\_ (Square Feet) Location: \_\_\_\_\_

PAID  
MAY 27 2022  
Village of Cold Spring

\$100.00 ✓ 3061  
GBB AB

RECEIVED  
MAY 27 2022  
Village of Cold Spring

The undersigned is over 21 years of age and has read this form and all included information and agrees to comply with them. Individual or Organization Representative does hereby agree to be responsible to the Village of Cold Spring for the care and use of the facilities. I, on behalf of Theresa Crawley, do/does hereby agree to indemnify and hold harmless the Village of Cold Spring from any and all claims, suits, or demands and any expenses incurred by said Village for investigation, legal fees, or otherwise, which arise out of or are connected with the Village facility applied for herein and said Village shall be held harmless and indemnified regardless of whether the acts are the fault of the Applicant or the Village.

I, Theresa Crawley, and/or the organization I represent, n/a, agree to pay for any and all damages to equipment or property of the Village of Cold Spring by said organizations, members, guests, or visitors.

Signature (Individual or Organization Representative)

Theresa Crawley

Date 5/17/2022

\*\*\*\*\*THE FOLLOWING TO BE COMPLETED BY THE VILLAGE OF COLD SPRING\*\*\*\*\*

Approval by Recreation Commission:  
Notes:

Date 6/15/22 By [Signature]

Approval by Village Board: Date \_\_\_\_\_ By \_\_\_\_\_

Village Board to check appropriate Notations for Recreation Commission distribution:

- \_\_\_\_\_ Village of Cold Spring Police
- \_\_\_\_\_ Village of Cold Spring Highway Department
- \_\_\_\_\_ Village of Cold Spring Fire Department
- \_\_\_\_\_ Philipstown Ambulance Corps

## VCS Clerk

---

**From:** Jeffrey Amato <jamato2020@gmail.com>  
**Sent:** Sunday, June 19, 2022 2:33 PM  
**To:** VCS Clerk  
**Cc:** Steve Etta; John Merante; Aaron Leonard  
**Subject:** Mayor's Park Parking Policies

Jeff,

Per Mayor Foley's request, can you please submit this proposal to the Board of Trustees for review.

Since the metered parking policies went into effect, we have not discussed whether event attendees will still be required to pay for parking. The Rec Commission unanimously is in favor of attendees not having to pay for parking for non-ticketed events at the Pavilion since they already pay to reserve the facility. We feel this is consistent with the policy during Haldane sporting events. If this is acceptable to the Trustees, we could purchase parking decals to provide to attendees during events to differentiate between attendees and others parking in reserved spaces during events. This policy would not apply to ticketed events.

Regards,  
Jeff

July 13, 2022, Village of Cold Spring Report

1. New Highway Garage the steel was delivered Mid-June and it is about 90% up, still much more work to do, Electrical, Plumbing, HVAC, masonry, , carpenter. Plan to be completed in Oct. Wall on Main St is completed and looks very nice.
2. E-Waste collection will be ready start in July.
3. Food scrape composting stated 6 weeks ago there are 75 plus people are currently enrolled, if anyone is interest visit our website [WWW.Philipstown.com](http://WWW.Philipstown.com) ; or stop by the townhall to enroll. Using Curbside to pickup the scrapes and they transport them to Milford CT.
4. Pass resolution for Fire Protection with the Village of Cold Spring.
5. There is a \$10,000.00 Grant that climate smart obtains and can be used for an EV charging station for the Village of Cold Spring if you would like.
6. Laura Bozzi gave an update on the trails Committee
7. Brief discussion regarding the Town's Flag policy, more to come in the coming months.
8. Planning board still very busy with The Garrison and Shakespeare Festival and Hudson Highlands Reserve. Planning board passed a Positive SEQRA declaration on the Garrison Golf and Shakespeare Festival. Meaning that more is required to mitigate the impact on the environment.



**VILLAGE OF COLD SPRING**  
85 MAIN STREET, COLD SPRING, NY 10516  
TEL: (845) 265-3611 FAX: (845) 265-1002  
WEB: WWW.COLDSRINGNY.GOV

**RESOLUTION #21-2022**

**AUTHORIZING MAYOR TO EXECUTE AGREEMENT WITH PHILIPSTOWN FOR  
FIRE PROTECTION SERVICES**

The following resolution was offered by \_\_\_\_\_ for adoption and seconded by \_\_\_\_\_, to wit:

**WHEREAS**, there are properties located in Philipstown referred to on the Philipstown Real Property tax bills as "Philipstown Fire No. 1" that constitutes the designated area within Philipstown to be served by the Cold Spring Fire Company No. 1; and

**WHEREAS**, Cold Spring and the Fire Company are willing to provide fire protection services to Philipstown, for said properties, under the terms and conditions of attached agreement; therefore

**IT IS HEREBY RESOLVED** that the Village Board does approve the agreement and that the mayor is authorized to execute said agreement.

On roll call vote:

Trustee Laura Bozzi:  
Trustee Cathryn Fadde  
Trustee Eliza Starbuck:  
Trustee Tweeps Phillips Woods:  
Mayor Kathleen E. Foley:

Resolution officially adopted on \_\_\_\_\_ by a vote of \_\_\_\_\_

\_\_\_\_\_  
Jeff Vidakovich, Village Clerk-Treasurer

\_\_\_\_\_  
Date

**FIRE PROTECTION AGREEMENT**

The VILLAGE BOARD OF THE VILLAGE OF COLD SPRING, a Municipal Corporation of the State of New York, hereinafter designated "COLD SPRING"

And

The TOWN BOARD OF THE TOWN OF PHILIPSTOWN, a Municipal Corporation of the State of New York, hereinafter designated "PHILIPSTOWN"

And

The COLD SPRING FIRE COMPANY NO 1, a Volunteer Fire Company organized under the Laws of the State of New York, hereinafter the "FIRE COMPANY",

WITNESSETH:

WHEREAS, there are properties located in PHILIPSTOWN referred to on the PHILIPSTOWN real property tax bills as "Philipstown Fire No. 1" that constitutes the designated area within Philipstown to be served under this Agreement; and

WHEREAS, COLD SPRING and the FIRE COMPANY are willing to provide fire protection services to PHILIPSTOWN, for said properties, under the terms and conditions set forth herein; and

WHEREAS, by resolution dated July 7, 2022, the Town Board of PHILIPSTOWN duly authorized execution of this Fire Protection Agreement; and

WHEREAS, by resolution dated \_\_\_\_\_, the Village Board of COLD SPRING duly authorized execution of this Fire Protection Agreement;

WHEREAS, the FIRE COMPANY, by its membership and its Board have consented to the terms hereof;

NOW, THEREFORE, PHILIPSTOWN does engage COLD SPRING to furnish fire protection services to PHILIPSTOWN through the FIRE COMPANY and COLD SPRING agrees to furnish such protection in the manner following, to wit:

1. **TERM:** This Agreement shall commence on the first day of January, 2022 and shall continue for a term of one (1) year.
2. **FIRE PROTECTION SERVICE:** The FIRE COMPANY shall, at all times during the term of this Agreement, be subject to call for attendance upon any fire, emergency or service call falling under the Fire Company's Standard Operating Procedures and Guidelines occurring within the areas designated within the Town of PHILIPSTOWN, when notified by alarm, telephone call, County dispatch 911 or other reliable means. Upon such call or other notification, the FIRE COMPANY shall, without delay and with all suitable apparatus, proceed diligently and in every way reasonable under the circumstances with mitigation and termination of the incident. Provided, however:



- (i) The FIRE COMPANY shall not be required to furnish any water (other than water stored in the fire truck in accordance with the Fire Company's Standard Operating Procedures and Guidelines) or hydrants, and PHILIPSTOWN shall be responsible for the maintenance of all hydrants including, but not limited to keeping all hydrants and any access to those hydrants free from ice and snow;
- (ii) The FIRE COMPANY shall respond to fire, emergency or service calls in such manner as it deems appropriate and consistent with its Standard Operating Procedures and Guidelines;
- (iii) COLD SPRING, through the FIRE COMPANY, shall not be responsible or in any way liable under this Agreement for delay or failure to reach buildings on fire because of lack of roads, impassable road conditions or other causes beyond the control of the FIRE COMPANY, nor for failure to extinguish any fire after reasonable efforts to do so; and
- (iv) The FIRE COMPANY reserves the right, and in fact has the obligation to service other municipalities; and the FIRE COMPANY'S attendance upon any fire or emergency outside of the designated area of PHILIPSTOWN shall not be deemed a violation of this Agreement. Nothing in this Agreement shall be construed as requiring the FIRE COMPANY to neglect a fire or emergency in COLD SPRING for the purposes of attending a fire or emergency in the designated area of PHILIPSTOWN.

**3. INDEPENDENT CONTRACTOR:**

It is understood and agreed that COLD SPRING and the FIRE COMPANY, in providing Fire Protection Service under this Agreement, are acting as independent contractors, and are not subject to any direction or control in any manner by PHILIPSTOWN except as expressly conferred by law, and formulation of and compliance with any laws, rules or regulations relating to use of fire protection apparatus and equipment shall be the responsibility of COLD SPRING and the FIRE COMPANY.

PHILIPSTOWN, by execution of this Agreement, expressly grants the FIRE COMPANY permission to open, use and secure hydrants belonging to PHILIPSTOWN or within its jurisdiction and to use the water therein for purposes of providing fire protection services under this Agreement. Members of the FIRE COMPANY, while engaged in the performance of their duties in answering, attending upon, or returning from any call provided for this by Agreement shall have the same rights, privileges, and immunities as if performing the same in the Village of Cold Spring.

**4. PAYMENTS:**

In consideration of furnishing fire protection services under this Agreement, PHILIPSTOWN shall pay COLD SPRING an amount equal to Sixty Thousand One Hundred Five dollars (\$60,105). Payment to be made in full within 30 days of receipt of invoice from COLD SPRING.

Payments made under this Agreement shall be all-inclusive and shall be in full and complete satisfaction of any and all claims for compensation for provision of fire protection services, including any obligation of PHILIPSTOWN to pay COLD SPRING or the FIRE COMPANY for any loss or damage to equipment sustained in the performance of its duties hereunder. Provided, however, PHILIPSTOWN shall remain responsible for any injury, loss or damage caused, wholly or in part, by the tortuous actions or omissions of its elected officials, officers, employees and agents.

**5. INSURANCE:**

COLD SPRING shall secure and keep in effect: (a) Commercial General Liability Insurance (also known as Emergency Service Liability Coverage) with limits of no less than \$1,000,000.00, (b) Business Automobile Liability Insurance with limits of no less than \$1,000,000.00, (c) Volunteer Fireman's Benefit Coverage pursuant to Volunteer Firefighters' Benefit Law, Section 30, and (d) Workmen's Compensation Insurance, with all four of the foregoing insurance coverages to be for the protection of the public and PHILIPSTOWN, its officers, employees, agents and servants against any and all claims, actions, damages and charges of every name and nature arising from the alleged negligence, want of care or fault of COLD SPRING or the FIRE COMPANY in furnishing or operating the service hereunder, such insurance to name PHILIPSTOWN as one of the insureds, provide PHILIPSTOWN with copies of said policies in force, with applicable endorsement, and contain provisions that they may not be cancelled except on no less than thirty (30) days' notice to PHILIPSTOWN, in writing.

**6. INDEMNIFICATION:**

COLD SPRING shall indemnify and save harmless PHILIPSTOWN, its officers, employees, agents and servants against all liability, claims, loss, costs or damages on account of injury to persons or property arising as a result of the alleged negligence, want of call or fault of any nature whatsoever, of COLD SPRING or the FIRE COMPANY, their officers, members, agents, servants, licensees or sub-contractors arising from this Agreement.

PHILIPSTOWN shall indemnify, defend and hold harmless COLD SPRING and the FIRE COMPANY for any claims or damages arising from alleged negligence or other tortuous actions or omissions of PHILIPSTOWN's elected officials, officers, employees and agents.

**7. TERMINATION:**

Termination under this provision shall not give rise to any claim for loss or damages.

Notwithstanding any other provisions of this Agreement, the failure to pay the agreed upon amounts on or before the dates required or failure to provide adequate water for the purposes of this Agreement will not automatically terminate the Agreement, but will be grounds for immediate termination of the Agreement by COLD SPRING and/or the FIRE COMPANY. In the event that this Agreement is terminated for cause under this provision, COLD SPRING and/or the FIRE COMPANY may pursue such remedies as they may have against PHILIPSTOWN, provided that recovery shall be limited to amounts due or which would have become due under this Agreement, and consequential damages shall not be available.

Likewise, failure of COLD SPRING and the FIRE COMPANY to respond or otherwise comply with its obligations under the Agreement will not automatically terminate the Agreement, but will be grounds for immediate termination of the Agreement by PHILIPSTOWN. In the event that this Agreement is terminated for cause under this provision, PHILIPSTOWN may pursue remedies as it may have against COLD SPRING and/or the FIRE COMPANY, provided that recovery shall be limited to amounts paid for the term year in which the Agreement was terminated, and consequential damages shall not be available.

**8. INSPECTIONS BY FIRE CHIEF:**

The chief officer of the FIRE COMPANY of the Village of Cold Spring, may, under the terms of this Agreement, inspect any public building, and with the consent of the owner, any privately-owned building, located within the designated area of PHILIPSTOWN, for fire hazards, or such chief officer may delegate such power of inspection to an officer or member of such department. The term building, as used in the paragraph does not include a multiple dwelling which may be inspected by such fire officer under and pursuant to the provisions of Subdivision 4 of Section 303 of the Multiple Resident Law.

**9. DISPUTE:**

In the event that a dispute arises as to the performance and/or breach of provisions of this Agreement, such dispute shall be resolved through non-binding arbitration, or such other alternative dispute resolution as the parties may agree upon. In the event that the parties cannot agree on any of the foregoing methods of alternative dispute resolution, then either party shall be entitled to resort to the Court System for relief, provided, however, that efforts to pursue alternative dispute resolution shall not be a prerequisite to demanding and/or seeking a court order enforcing paragraphs #6 of this Agreement regarding provision of a defense and indemnity if a third-party commences suit against a party hereto.

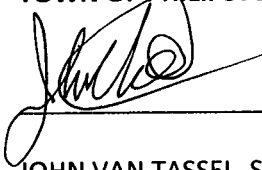
**10. ENTIRE AGREEMENT:**

The above-written provisions constitute the entire agreement between the parties hereto and may not be amended unless done so in writing by authorized representatives of the parties.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022

**TOWN OF PHILIPSTOWN**

By:

  
\_\_\_\_\_

JOHN VAN TASSEL, SUPERVISOR

7/7/2022

**VILLAGE OF COLD SPRING**

By:

\_\_\_\_\_

KATHLEEN E. FOLEY, MAYOR

**COLD SPRING FIRE COMPANY, NO. 1**

BY:

\_\_\_\_\_  
AARON LEONARD, PRESIDENT

## VCS Clerk

---

**From:** david marzollo <dmarzollo@gmail.com>  
**Sent:** Thursday, June 23, 2022 9:37 AM  
**To:** VCS Clerk  
**Subject:** Hub 5 k on community day

Hey Jeff,

I wanted to reach out to you about the hub 5K on community day to see if I could get on the next village board agenda To make an official proposal on behalf of the hub.

Thank you,

Dave

Sent from my iPhone

**Philipstown Behavioral Health Hub**  
**Second Annual Charity 5K and Kids Run**  
Village of Spring Board Proposal  
June 12, 2022

**Summary:**

Who: The Philipstown Behavioral Health Hub

What: A Charity 5K and Fun Run

Where: The Villages of Cold Spring and Nelsonville (see attached map)

When: Community Day Sept 3rd (rain date Sept 4th) 2022

Why: To promote health living, while raising money and awareness for the Philipstown Behavioral Health Hub

**Proposed Schedule of Events:**

8:00 to 9:25 - Event Registration at the Cold Spring Village Bandshell

9:25 to 9:30 - Runners called to starting line for 5K

9:30 - 5K race begins

10:15 to 10:25 - 5 K winners announced

10:25 to 10:30 - Runners called to starting line for Kids Run

10:30 - Kids Run begins

10:30 - Finish - Event clean up and take down

**Other notes:**

**Proposed cost to participant (after village costs are reimbursed):**

5 K - \$40 or by donation

Kids run - \$10 or by donation

**Other organizations that we will ask to approve this event:**

Village of Nelsonville

Haldane Central School District

Village of Cold Spring Police Department

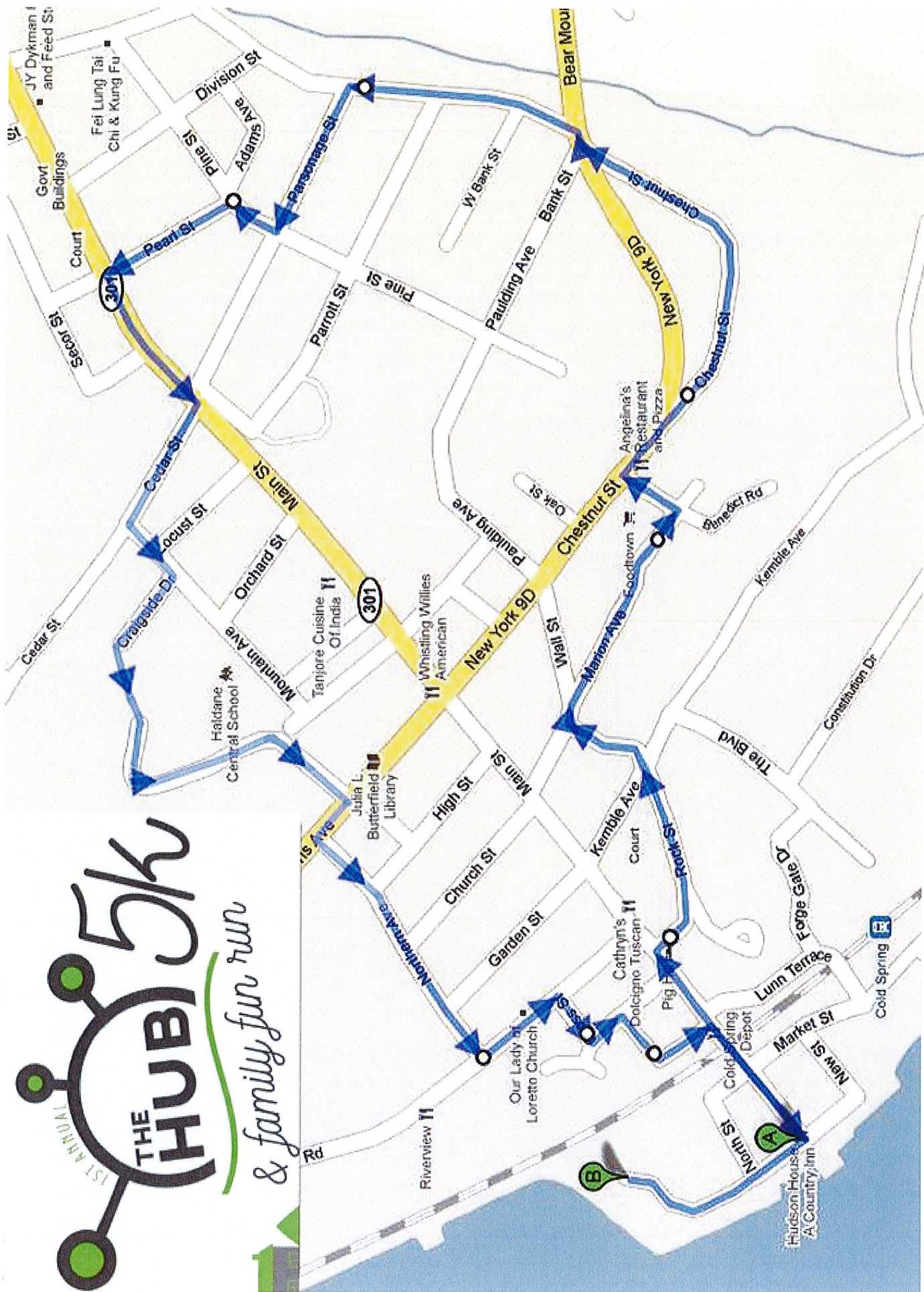
Putnam County Sheriff's Department

Philipstown Volunteer Ambulance corps

Cold Spring Fire Departments

1ST ANNUAL **THE HUB** 5k

*& family fun run*



**RESOLUTION NO. 22-2022**

**ESTABLISHING ENERGY BENCHMARKING REQUIREMENTS FOR CERTAIN MUNICIPAL BUILDINGS**

**WHEREAS**, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

**WHEREAS**, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Village of Cold Spring is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

**WHEREAS**, the Village of Cold Spring Board of Trustees desires to use Building Energy Benchmarking - a process of measuring a building’s energy use, tracking that use over time, and comparing performance to similar buildings - to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Village of Cold Spring; and

**WHEREAS**, the Village of Cold Spring Board of Trustees desires to establish procedures or guidelines for Village staff to conduct such Building Energy Benchmarking; and

**NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED**, that the following specific policies and procedures are hereby adopted;

**BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES**

**§1. DEFINITIONS**

(A) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) “Commissioner” shall mean the head of the Department.

(4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Village of Cold Spring that is 1,000 square feet or larger in size.

(5) “Department” shall mean the Village Clerk and Treasurer’s Office.



(6) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

## **§2. APPLICABILITY**

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

## **§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS**

(1) No later than May 1, 2017, and no later than May 1 every year thereafter, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

## **§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION**

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than September 1, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

#### **§5. MAINTENANCE OF RECORDS**

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

#### **§6. ENFORCEMENT AND ADMINISTRATION**

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Board of Trustees including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

#### **§7. EFFECTIVE DATE**

This policy shall be effective immediately upon passage.

#### **§8. SEVERABILITY**

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court

of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

On roll call vote:

Trustee Laura Bozzi:  
Trustee Cathryn Fadde  
Trustee Eliza Starbuck:  
Trustee Tweeps Phillips Woods:  
Mayor Kathleen E. Foley:

Resolution officially adopted on \_\_\_\_\_ by a vote of \_\_\_\_\_

---

Jeff Vidakovich, Village Clerk-Treasurer

Date

Commissioner Erik Kulleseid



# VILLAGE OF COLD SPRING

85 MAIN STREET, COLD SPRING, NY 10516

TEL: (845) 265-3611

FAX: (845) 265-1002

WEB: WWW.COLDSRINGNY.GOV

**KATHLEEN E. FOLEY, MAYOR**  
**LAURA BOZZI, TRUSTEE**  
**CATHRYN FADDE, TRUSTEE**  
**ELIZA STARBUCK, TRUSTEE**  
**TWEEPS PHILLIPS WOODS, TRUSTEE**

**JEFF VIDA KOVICH, CLERK/TREASURER**  
**MICHELLE ASCOLILLO, ACCOUNTANT**  
**LARRY BURKE, OFFICER-IN-CHARGE**  
**MATT KROOG, WATER SUPERINTENDENT**  
**ROBERT DOWNEY, HIGHWAY DEPARTMENT CREW CHIEF**

July 13, 2022

Commissioner Erik Kulleseid  
New York State Office of Parks, Recreation, and Historic Preservation  
Albany, NY 12238

Dear Commissioner Kulleseid:

The Village of Cold Spring Board of Trustees offers its enthusiastic support for the awarding of an Historic Preservation Grant from the EPF to the Hudson Highlands Fjord Trail for the rehabilitation of the landmarked Dutchess Manor as a visitor center.

The vision to transform Dutchess Manor into a primary visitor center for the Fjord Trail is critical to mitigating impacts of traffic generated by the proposed trail on our own Nationally-listed and locally-listed historic district. We hope that with Dutchess Manor as the designated arrival point for visitors, the trail's primary parking area, and shuttle pickup point for trailheads, traffic and parking pressures on the Village and its Historic District – already burdensome with the trails in their current configuration – will be reduced and better managed.

That the Village of Cold Spring has one of New York State's oldest historic districts is a key ingredient in the preservation of our community's built environment. Our village has character and integrity long since lost in most places. Protecting and preserving it is critical to the quality of life for our residents and to the success of our local economy. We understand and are deeply committed to the adaptive reuse of historic structures as a method for revitalization and conservation. Having the landmarked Dutchess Manor restored to its original exterior appearance would help to reconnect the building to the visual heritage of Cold Spring and its surrounds. Adapting the interior for new life as a visitor center will bring the structure much needed utility—historic buildings successfully and continuously used are those best preserved.

The Board of Trustees encourage full funding for this project so these significant historic restoration activities can get underway.

Sincerely,

Kathleen E. Foley, Mayor

Matti & Anita Peltonen  
9 Orchard St  
Cold Spring, NY 10516

Village of Cold Spring  
Board of Trustees  
85 Main Street  
Cold Spring, NY 10516

Re: Late Payment Fee

Dear Board of Trustees

We were informed by a letter from the Village, dated 7/5, that our Village tax payment was late, because "Postmark by Post Office must have been stamped June 30<sup>th</sup>, 2022".

In order for the people to pay in time, the village must deliver the tax bill so there is enough time to pay. We changed our address from P.O. Box 374 to 9 Orchard Street when we moved to Orchard St in 2017, and we have since then asked the village (in person, by phone, and by email) to change the mailing address for our tax bill accordingly, with no luck – the June 2022 tax bill still has our address printed with the old address. It looks like the tax bill was returned to the Village, where someone had hand written the correct address – but as a result, the bill arrived late. We sent the check the same day the bill arrived. Is it reasonable to blame the late bill delivery and resulting (to be proven) late payment on us?

As we bank with Ally Bank headquartered in Detroit, we think the letter with the check must have, in all likelihood, been stamped on or before 6/30 to have arrived in Cold Spring by 7/5 (2 business days after 6/30). We requested to see a copy of the envelope with the postmark, as a timely stamp would make any claim of lateness of payment moot. I have not, however, been provided with the requested copy. If the stamp was later than 6/30, the other arguments made in this letter would still apply.

The next new unwritten Village rule to was that we were late because the check was dated 7/5, and not because the original rule of the letter not being stamped on 6/30 or before. The only rule on this on the Village's website is "In order to prevent late fees, taxes must be received in Village Hall or postmarked by June 30<sup>th</sup>".

As Ally is an internet bank I have no influence on the dating of the check – the bank probably estimates the check's arrival late, and – again – the Village's tardiness in getting the tax bill was culpable any resulting lateness on our part, including the date on the check. Furthermore, if it is permissible to send the check by mail on 6/30, it makes no difference if the check is dated 6/30 or on the arrival date of the check. In this case, the check sent on or before 6/30 arrived on 7/5 and the Village was able to cash it upon arrival. What difference would it have made had the check been dated 6/30?

We could have hand delivered the check to the Village Hall, but as we explained to Ms Bouchard and Mr Vidakovich, Anita has been ill with Covid for the past 10 days, so we did not want to expose anyone else to the virus – a check sent from the bank seemed a much safer alternative.

We have lived in Phillipstown since 2000, and in the Village since 2015, and have never been late in paying our tax bills. To date, the Village has not shown that we have not complied with the rule of sending the check by letter postmarked by 6/30. Even if the check was sent later, we really feel we did our best, and it is not our fault if we received the tax bill (with the wrong address) late. Therefore, we are asking the board to cancel the late fee imposed by the village.

Best regards,

Matti and Anita Peltonen

Resolution No.: 20 of 2022  
**THE VILLAGE OF COLD SPRING**

**Roll Call Vote**

Names	Ayes	Noes	Abstain	Absent
<i>Mayor</i> <b>Kathleen E. Foley</b>				
<i>Deputy Mayor</i> <b>Tweeps Phillips Woods</b>				
<i>Trustee</i> <b>Eliza Starbuck</b>				
<i>Trustee</i> <b>Cathryn Fadde</b>				
<i>Trustee</i> <b>Laura Bozzi</b>				
<b>TOTAL</b>				

The following was presented

By:

Seconded by:

Date of Adoption: \_\_\_\_\_, 2022

**RESOLUTION OF THE VILLAGE BOARD OF TRUSTEES OF THE  
 VILLAGE OF COLD SPRING ADOPTING A POLICY WITH RESPECT TO FLYING  
 CEREMONIAL FLAGS**

**WHEREAS**, in response to a recent U.S Supreme Court case decision regarding the display of ceremonial flags by a municipality, the Village Board would like to establish a policy for flying ceremonial flags at/on Village-owned facilities and properties; and

**WHEREAS**, according to the Village Board, neither the Village’s flag poles nor other areas on Village properties and facilities are intended to serve as fora for free expression by the public, nor are they areas where the Village Board chooses to convey a message about the Village’s official sentiments; and

**WHEREAS**, this policy adopted by the Village Board will not impact the display of any official United States federal and/or New York state flags; and

**WHEREAS**, the Village of Cold Spring does not have an official Village flag; and

**WHEREAS**, in addition to the United States and New York State flags, the Village would like only to display the POW/MIA Flag, or any other flag officially-designated by the federal and/or New York State government; and

**WHEREAS**, the flying of the POW/MIA flag along with the American flag is enshrined in New York State Law, as well as in federal legislation for all prominent federal buildings, and such flag has been flown in the Village for years.

**NOW, THEREFORE, IT IS HEREBY:**

**RESOLVED**, that the display of any official United States federal and New York State flags, along with the flying of the POW/MIA flag or any other officially-adopted federal or state flag on Village property and facilities, will continue to comply with any and all applicable federal and state laws, rules, regulations and guidelines; and

**IT IS FURTHER RESOLVED**, that it is the Village Board's policy to not display any ceremonial flags of any manner, including but not limited to the flags of other nations, states or municipalities, on Village properties and/or facilities.

**FURTHER RESOLVED**, that this policy shall take effect on July 1, 2022.

**BY ORDER OF THE VILLAGE BOARD OF THE  
VILLAGE OF COLD SPRING, NEW YORK**

Dated: June , 2022

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## VCS Clerk

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**From:** Lloyd DesBrisay <lidesbrisay@gmail.com>  
**Sent:** Wednesday, July 6, 2022 6:16 PM  
**To:** Trustee Bozzi; Trustee Fadde; Trustee Woods; VCS Clerk; Mayor  
**Subject:** The Flag

Town Board -

As Pride Month (June) came to a close, I had a number of thoughts I wanted to share with you, my Village Trustees, my neighbors and my friends.

It has been a momentous month. I want to be sure I'm heard in this letter. My attempts to speak at prior meeting were squelched. I didn't appreciate this at all. Many have told me, unsolicited, that they felt badly for me over this and that it reflects badly on the Village when a constituent is yelled at and silenced. My words were also weaponized against me earlier in the month in private. I'm tired of oppression. It's all I hear about lately. It's all we all experience lately. Your job is to listen, not bend our arms until we submit.

This discussion has taken you away from Village matters, as you have noted. I acknowledge this but it is an important discussion to me even though I did not ask for it. I think so for you too. I don't truly think you went into town politics to deal with trash and roads. I truly don't. The introduction of this matter and this discussion was brought on by you. I don't appreciate that you want to squelch discussions about it after you raised it, for reasons unknown, on the first day of a month of celebration and **without provocation or complaint**. Best I can tell, neighboring town peers and friends whispered this in your ear and you are scrambling to enact similar rulings. Neighboring towns are not the same nor do they have the same population or views.

Or perhaps the Village lawyer, who I assert got ideas for this case through quick online research (there are many conservative and similar flag ban examples this year, nationwide) brought it to you. Why our Village lawyer, if he did, needs to make this a policy issue and be a de facto member of the board is not understood by me (he is paid after all so he should not be making work). Whatever the case, why our village needs to join the fray, and become a tool of fundamental and conservative action that is hateful and oppressive, is beyond me.

This flag is a symbol of hope and inclusion. It represents universal values. It has become, through the recent Progress flag, also a symbol of various identities. When I moved to this town, four years ago, it was peppered with those signs saying "all are welcome here". They're mostly gone now as is the lovely person and welcoming spirit who sold them, Main Street's de facto Mayor Leonora. Governments have a choice to make and a voice to raise beyond trash and road concerns (although some action on those fronts would be great too!). You say this ban is not about the rainbow flag, but it is.

This month too, you might recall the overturning of Roe v. Wade. Not the same, I know. I just want to remind you, that this legal action was not against women just against abortion. Wait! I can't say that! I don't have any clue how it feels to the female half of the population nor do I claim I ever could.

So when I say that your ban on the progress flag, a symbol of unity that goes beyond LGBTQIA+ and represents universal human values, is offensive to me as an LGBTQIA+ individual, please don't dismiss me. You don't know how it feels! I refuse to be forced back in the closet by my neighbors and, perhaps, friends. Some of you have businesses here and this doesn't look good on you. Others of you work for institutions who push the boundaries and would be appalled.

Last week, as I was driving home from work, I was emotional as I drove by Village Hall. I wondered about those who would supposedly be offended by a progress flag. Why would they feel uncomfortable entering a building with a small symbol of hope, love, unity, and respect to all people. I wondered why they would be offended and uncomfortable but I also wondered why the board of my hometown would want to make me feel uncomfortable in

the entirety of the Village. Why do you want to make this not feel like my home, one I actually give back to and tangibly contribute to?

Please forget this silly resolution you have planned. Dismiss it or vote for inclusion and get back to the productive and positive work of the Village!

Lloyd L. DesBrisay  
[ldesbrisay@gmail.com](mailto:ldesbrisay@gmail.com)

(Please read aloud and enter this into the record during your next discussion. I will not join another meeting in person only to be silenced.)